

# **EXHIBIT D**

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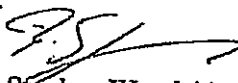
Lucretia Clemons, Esquire  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
51<sup>ST</sup> Floor  
1735 Market Street  
Philadelphia, PA 19103

Re: Tillman v. The Pepsi Bottling Group, Inc., et al.  
No. 04-1314(SR)

Dear Ms. Clemons:

Your position in your November 22, 2006 letter, refusing to produce a *single witness* for a deposition before December 1, 2006, is unreasonable. The notices and schedule of depositions is reasonable, and rule-compliant. You have not explained any scheduling difficulties. From available discovery to date, all of the requested witnesses should be located at Pepsi in Wilmington, Delaware, or travel to the plant on a regular basis, and you have not identified those outside the jurisdiction. I will bring the matter to the court's attention, at the earliest opportunity, in accordance with all required procedure, the week of November 27, 2006.

Very truly yours,

  
J. Stephen Woodside

/s/

cc: Barbara Stratton, Esq.  
Marc Gelman, Esq.  
Marlayna Tillman